

Response to Amendment

The reply filed on 12-03-2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): applicant failed to adequately address the 103 rejection of Winston in view of Shikhman. The 103 combination involves placing the entire device of Winston through an insulative trocar sleeve 28. In this configuration, clearly, the sleeve is slidable over the tubular member and vice versa, the tubular member is slidable inside the insulating sleeve. Applicant seemed to argue Shikhman and Winston individually. In the event that Applicant did not fully appreciate the 103 rejection and the combination of elements once the combination was made, the examiner is giving the applicant an opportunity to provide additional argument with the above 103 combination/configuration in mind. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenn K. Dawson whose telephone number is 571-272-4694. The examiner can normally be reached on M-Th 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Todd E. Manahan can be reached on 571-272-4713. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Glenn K Dawson
Primary Examiner
Art Unit 3731

Gkd
18 February 2008

/Glenn K Dawson/
Primary Examiner, Art Unit 3731